

**H 232 – Bicycle Safety and Traffic Law Study**  
**Committee Meeting #1 Minutes**

August 7, 2015

Traffic Engineering Conference Room 161  
NCDOT Mobility and Safety Offices

Committee Members Present: Kevin Lacy, Lauren Blackburn, Wes Dickson, Chris O’Keefe, Jim Westmoreland, James Gallagher, and Master Trooper Chris Knox

Members not present: Fred Burt, Crystal Collins

Attendees: Garold Smith, Cathy Smith, Bryan Poole, Steven Goodridge, and Carl Sundstrom

Lauren Blackburn convened the meeting at 10:05am. Lauren noted that the representatives from the trucking industry (Crystal Collins) and the agriculture industry (Fred Burt) were not able to join the meeting. The members introduced themselves, with a note that Carl Sundstrom and James Gallagher will serve interchangeably on the committee as both are subject matter experts at the UNC Highway Safety Research Center.

Mrs. Blackburn asked the group to review the House Bill 232 legislation. They discussed the language in order to develop a common understanding of the committee’s scope. The law directs the North Carolina Department of Transportation (NCDOT) to study the vehicle laws affecting motorist and bicycling safety and write a report including recommended statutory changes. The law also requires NCDOT to organize and meet with a committee, as described in the law, who will provide advice based on industry or stakeholder perspectives.

Mr. Westmoreland asked about the genesis of the bill or if related research/data inquiries had been made to NCDOT prior to the bill’s introduction. Mrs. Blackburn explained that the genesis appeared to stem from increased conflicts between road cyclists and motorists in rural areas. The committee also discussed a bill that had been introduced earlier in the session regarding passing slower moving vehicles, but this bill did not progress due to concerns raised by the agriculture industry.

Mrs. Blackburn asked the committee to establish a committee chair. Mr. Gallagher nominated Jim Westmoreland and Kevin Lacy seconded the nomination. No objections were raised nor were other nominations received. Mrs. Blackburn turned the meeting over to Mr. Westmoreland.

Mr. Westmoreland asked the committee to identify possible members for the remaining three spots on the committee. Mr. Lacy suggested that the committee begin by identifying any stakeholder or interest groups missing before focusing on named individuals. Mr. Lacy suggested that the committee needed a representative of local law enforcement. MT Knox asks whether an attorney would be helpful to help in discussion of laws. Mr. Westmoreland asked if NCDOT would invite someone from the Attorney General’s (AG) office to provide guidance. NCDOT staff said they would ask for AG representation at future meetings.

Chris O’Keefe asks whether committee diversity (such as gender or ethnicity) should be considered. Mr. Lacy asked about statewide or national advocacy organizations, such as a bicycling organizations or motorist groups like AAA. Mrs. Blackburn suggested that bicycle tour organizers or businesses may need to be represented as well.

The group discussed geographic areas not well represented on the committee. Mr. Gallagher suggested that the concerns of rural residents who have reported inhibited travel during large group bicycle rides or events be represented on the committee. Mr. O'Keefe asked if there was anyone on the committee who represents bicycle operation or safety, such as a course instructor or researcher. The committee acknowledged representation by UNC's HSRC as a research resource. Mr. Lacy noted that he has received comments from NCDOT Division Engineers, and he will convey their various perspectives during committee meetings.

Mr. Westmoreland asked whether someone from the medical community such as a trauma center or emergency management services would be a good candidate. Wes Dickson asks whether interests of children, or different types of cyclists, should be represented on the committee. The committee closed discussion on stakeholder interest representation. Mr. Westmoreland suggested that the draft report be made available to the public for various interest groups to review before finalization.

The committee reviewed the stakeholder gaps listed and agreed that local law enforcement was an important interest needing representation on the committee. Mrs. Blackburn provided two names of officers from the eastern part of the state (from Kitty Hawk and Greenville). The group decided that the Greenville officer would be a good representative of local law enforcement, and could also help represent more diverse communities and college towns. The committee also noted that Greenville has a regionally significant trauma center. Mrs. Blackburn recommended Sgt. Michael Montayne as Greenville's Traffic Safety unit lead officer. The committee agreed to add him to the committee.

The committee asked about statewide advocacy organizations. Mr. Sundstrom named Bike Walk NC as the state's most recognized bicycle organization. Mr. Westmoreland suggested that Bike Walk NC could represent cyclists on the committee, while also representing operator-safety instructors. The committee recognized Steven Goodridge who explained that he had been nominated by Bike Walk NC to represent the group if given the opportunity. The committee agreed to add Steven Goodridge with no objections.

Mrs. Blackburn suggested that bicycle tour groups and special events are an important concern. She recommended Chuck Hobgood, the Visit NC State Liaison for Sports. Mr. Hobgood also helps organize multiple large-scale bicycle events in the state. The committee agreed to add him to the committee with no objections. Mrs. Blackburn explained that she would contact each of the nominees to confirm their participation.

Mrs. Blackburn introduced a summary document on laws relevant to vehicle operation in North Carolina, with relevance to bicycling. Mr. Westmoreland recommended reviewing these in preparation for the next meeting.

Mrs. Blackburn recommends looking at the Uniform Vehicle Code (UVC) and a set of proposed amendments developed by a technical sub-committee of the National Committee on Uniform Traffic Control Devices (NCUTCD) specific to bicycling. She suggested the recommended language may help the committee identify statutory improvements. Mr. Lacy agreed that the proposed amendments are a good resource as the NCUTCD receives input from a variety of stakeholders and experts from across the country. Mr. Westmoreland added the proposed amendments as another resource to be reviewed by the committee prior to the next meeting.

The committee discussed issues related to the carry of identification by bicyclists. Mr. Lacy said that enforcement is difficult with no identification. MT Knox added that law enforcement needs identification to notify the family and have contact information for reporting before the media describes the event. The committee also discussed the variety in types of bicyclists, such as children, and how that diversity may affect an operator's ability to obtain identification.

The committee reviewed the proposed amendments, discussing their relevance to NC vehicle code. Mr. Lacy suggested that the committee's focus should be on traffic ordinances, and not on definitions. Mr. Goodrich asked to look specifically at "no passing zones" ordinances, with special focus on areas with limited sight distance. Mr. Westmoreland suggested looking at other states for model ordinances and trends in vehicle codes changes. He also asked about quantitative research or information to help inform discussions about passing distance and safety-crash factors. Mr. O'Keefe asked if there was any modeling available to describe the behaviors of motorists and cyclists under different passing and operating conditions. The committee asked UNC HSRC or NCDOT staff to identify any research or data sources that help inform these issues.

After a brief lunch break, Mr. Westmoreland reconvened the meeting and asked the group to identify future meeting dates. Preliminary dates chosen include August 28<sup>th</sup>, September 25<sup>th</sup>, and October 30<sup>th</sup>, all from 10am-2pm. Meetings will be held at the Mobility and Safety offices in Raleigh, upon confirmed availability of a meeting space.

Mr. Westmoreland asked the committee to identify additional safety issues that should be considered for future discussion by the committee. Several members listed visibility and lighting as key concerns for cyclists travelling at dusk or in dark conditions. Mr. Gallagher asked if 2 foot, 3 foot, or "safe distance" laws for passing cyclists should be explored. Mr. Lacy identified vehicle codes requiring operators to be in the right-hand side of the lane as an issue, specifically related to exceptions for operator position. Mrs. Blackburn noted complaints received regarding group cyclists delaying ingress/egress of residents along roadways. She also mentioned the law's requirement that the committee discuss cyclists riding more than one abreast. The committee asked NCDOT staff to provide information on motorcycle operators (riding two abreast) before or during the next meeting. Mrs. Blackburn also listed certain turning (hand) signals as a source of confusion when cyclists are communicating with motorists.

Mr. Westmoreland asked to review charges levied against those who hit bicyclists, and the concern of distracted drivers. Mrs. Blackburn asks if there are laws against aggressive driving or harassment. Mr. O'Keefe brought up the issue of texting or talking on the phone while riding a bicycle, or using headphones/ear buds. Mr. Sundstrom suggested considering the development of a vulnerable road user law. Mr. Goodrich added that the contributory negligence law in North Carolina makes enforcement in support of vulnerable road users challenging.

Mrs. Blackburn shared concerns she had previously received from Mr. Burt, including the impact of organized group rides and event road closures on resident travel. Mr. Westmoreland said local governments regulate special event road closures in most cases, and asked if this issue is better directed toward local governments. The committee discussed how some large group rides (as opposed to those requiring special permits) appear to "repurpose" the normal function of the roadway. Mr. Gallagher also mentioned the limited amount of information received during driver's education on bicycle and pedestrian safety.

Mr. Smith noted the approximately twelve issues mentioned, and asks whether it is reasonable to address all of them. The twelve issues identified are described below:

- Passing cyclists in areas of limited sight distance (per H 232)
- Cycling single/two abreast (per H 232)
- Cyclist carry of identification (per H 232)
- Visibility (clothing or other reflective gear) and lighting requirements
- Operating position in roadway
- Informal group ride impacts on rural roadway use and driveway egress
- 2 foot or other passing distance requirements
- Options for hand signals for turning
- Aggressive driving, harassment, and distracted driving laws
- Use of headphones or texting while cycling
- Vulnerable road user protection
- Formal group event permitting and regulations

Mr. Westmoreland added that all are important, but some might not be state legislation issues. Mrs. Blackburn explained that NCDOT staff will produce meeting minutes and distribute to the committee for their review. Mr. Westmoreland asks that for the next meeting everyone read the materials referenced during the meeting, review the minutes, and asked the committee members to volunteer to research and present findings on one or more issues identified. Mr. Lacy notes that G.S. 20-171 is the main place to find laws related to bicycling in North Carolina. Mrs. Blackburn mentioned the recently completed NCDOT State Highway Strategic Plan and its specific emphasis on bicyclists and pedestrians. James Gallagher noted that the [www.WatchformeNC.org](http://www.WatchformeNC.org) website also has relevant data.

Jim Westmoreland called the meeting to an end at 1:52pm.

Summary of actions taken by the committee:

- Named Mr. Jim Westmoreland as committee chair
- Requested that a representative from the Attorney General's office attend committee meetings
- Added Sgt. Michael Montayne, Steven Goodridge, and Chuck Hobgood to committee
- Asked committee members to review a summary document on laws relevant to vehicle operation in North Carolina, with relevance to bicycling.
- Asked committee members to review a set of proposed amendments, specific to bicycling, to the national Uniform Vehicle Code (UVC) as developed by a technical sub-committee of the National Committee on Uniform Traffic Control Devices (NCUTCD)
- Asked UNC HSRC or NCDOT staff to identify relevant research or data sources regarding bicycle crashes
- Selected future tentative meeting dates: August 28th, September 25th, and October 30th, all from 10am-2pm to be held at the NCDOT Mobility and Safety offices.
- Asked NCDOT staff to provide information on motorcycle operators traffic laws (emphasis on laws permitting riding two abreast)
- Asked the committee members to volunteer to research and present findings on one or more issues identified